REMARKS

Claims 1-15 are pending in the application. Claims 1-15 have been rejected.

Objections to the Specification

The Examiner objected to the disclosure because of the following informalities: the serial numbers for the related applications on pages 1 and 2 required updating. Applicant has updated the serial numbers for the related applications on pages 1 and 2.

Claim Rejections under 35 U.S.C. § 102

Claims 1-15 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,542,490 B1 to Ahmadvand et al (hereinafter "Ahmadvand").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (Aug. 2001) (*quoting Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Id.* (*quoting Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 1236, 9 USPQ2d 1051, 1053 (Fed. Cir. 1987)). In addition, "the reference must be enabling and describe the applicant's invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." *In re Paulsen,* 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that claims 1-15 are not anticipated by Ahmadvand for the reasons and explanations set forth below.

Ahmadvand discloses a data link control protocol for a 3G wireless system. (Title) The data link control protocol provides direct support for network layer protocols, e.g., the Internet Protocol (IP). (Abstract) The new Data Link Control (DLC) layer design of Ahmadvand may be viewed as an interface between the IP layer and the Physical layer and can accommodate a variety of Classes of Service (CoS) having different Quality of Service (QoS) requirements. (Col. 6, lines 50-55) The IP packets include the IP Quality of Service information (IPQoS). (Col. 6, lines 63-64) The DLC layer has a scheme to map the IPQoS requirements to the DLC CoS. (Col. 6, lines 64-65) Each CoS is separated inside the DLC protocol layer and directed to a

specific QoS plane. (Col. 6, lines 65-67) A QoS processing module of the Link Access Control (LAC) layer is responsible for receiving the IP packets and extracting the IPQoS requirements included in the IP packets. IPQoS requirements are translated into QoS classes of service. (Col. 7, lines 10-14) Based on the AoS classification obtained, the QoS processing module redirects the IP packets to the proper QoS data plane. (Col. 7, lines 27-30) A Segmentation and Reassembly (SAR) modules is provided in each QoS plane. (Col. 7, lines 37-38) The SAR module chops the augmented IP packet to smaller size packets, which are more suitable for error recovery and retransmission. These smaller size packets are defined as "sequence frames". The size of a sequence frame is variable and dynamically optimized for different QoS data planes based on the QoS requirements and the radio link conditions. (Col. 7, lines 44-51) A start of message bit field and a sequence number field are added to the payload. (Col. 7, lines 52-53) A number of smaller same CoS sequence frames are presented by a respective SAR module to a Framing and Automatic Repeat Request (ARQ) module. (Col. 7, lines 57-60) The sequence frames are then encapsulated in High-level Data Link Control (HDLC)-like frames in a respective Framing and ARQ module. (Col. 7, lines 60-65)

Applicants respectfully submit that Applicant's invention is not anticipated by Ahmadvand because the cited reference does not disclose all of the limitations of amended claim 1. Specifically, Ahmadvand does not disclose "wherein the portion of an Internet Protocol (IP) packet is of one type". Ahmadvand discloses a data link control protocol for use in 3G wireless systems that handle both data and voice communications bi-directionally. Ahmadvand is not directed to a uni-directional broadcast service for a wireless communication system. Because Ahmadvand is used with both data and voice, protocol information is needed to properly direct received and transmitted frames. Ahmadvand is intended to assist in providing specific quality of service for subscribers that have requested a specific grade of service. The protocol information is needed to determine the quality of service and type of service the customer has requested. This is in contrast to Applicant's disclosure "wherein the portion of an Internet Protocol (IP) packet is of one type". Because Ahmadvand must process both data and voice information at varying levels of service, the protocol field cannot be eliminated from the frame

before transmission. Therefore, Applicant respectfully requests that the rejection of claim 1 be withdrawn because the prior art does not disclose all the limitations of the claim.

Claims 5, 7, 13, and 15 are allowable for the same reasons given above for claim 1.

Claims 4 and 11 are allowable as depending directly from allowable amended claim 1.

Claims 2 and 8 are allowable as depending directly from an allowable amended claim.

Claims 3 and 9 are allowable as depending indirectly from an allowable claim and include additional limitations.

Claim 6 is allowable because it depends directly from allowable independent claim 5.

Claim 10 is allowable as depending indirectly from allowable claim 7.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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